

MINUTES OF THE VILLAGE PLANNING COMMISSION MEETING
March 16, 2016

The meeting of the Planning Commission of the Village of Slinger was called to order by Chairman Brandt at 300 Slinger Road, Slinger, WI, at 6:30 p.m. on Wednesday, March 16, 2016 in accordance with the Notice of Meeting delivered to the members on Friday, March 11, 2016.

1. Roll Call & Notice of Meeting:

Planning Commission Members	<u>Present</u>	<u>Absent</u>
Russell Brandt, Chairman	x	
Elida Erovick	x	
Lee Fredericks	x	
Bruce Hassler		x
Robert Stuetngen	x	
Bryant Moritz	x	
Lisa Brux		x (excused)
	<hr/> 5	<hr/> 2

Also Present: Jessi Balcom, Village Administrator
Marty Marchek, Village Planner
Jim Haggerty, Village Engineer
Tammy Tennes, Clerk

Chairman Brandt informed the members present that the open meeting law had been complied with in connection with the meeting. Notice of the meeting was sent to all that requested same and posted in three public locations.

2. Approval or Correction of Minutes:

A. Planning Commission Minutes From 1-26-2016

Motion Fredericks/Stuetngen to approve Planning Commission minutes from 01-26-2016 as presented. Motion passed.

3. Public Hearing & Possible Action Thereon:

A. Consider proposed ordinance to create Section 3.20 B. 6. a. thru e. in the Village's I-1 Institutional zoning district allowing columbarium as an accessory use on property of a religious association to comply with recent state statutes related thereto.

Chairman Brandt announced the reason for the public hearing and read the notice. He informed the Commission that all posting requirements had been met.

Clerk Tennes informed the Commission that no comments on the matter had been received prior to the meeting.

Chairman Brandt opened the hearing for public comment at 6:32pm. There being no comments, he closed the hearing.

Planner Marchek stated that this item was previously discussed at the Commission's January 26, 2016 meeting when it was directed that the columbarium use be allowed as a "permitted use" on Institutional-zoned property. Planner Marchek stated that the draft ordinance also proposes the following requirements:

- a. Require a building permit.
- b. Be located in rear or side yards.
- c. Be setback at least 10 feet from a property line.
- d. Not exceed 6 feet in height.
- e. Be operated in full compliance with applicable State statutes and requirements.

Discussion was held on the requirements listed in the draft ordinance.

Planner Marchek and the Building Inspector had discussed the requirements, yet he stated that the requirements are arbitrary and that the Commissioners need to review and determine what works best for the Village.

Commission members discussed the height limitation and concluded that 20ft. should replace the 6ft. height maximum.

Motion Stuetgen/Fredericks to refer to the Village Board for approval the ordinance to create Section 3.20 B. 6. a. thru e. in the Village's I-1 Institutional zoning district allowing columbarium as an accessory use on property of a religious association to comply with recent state statutes related thereto with the following requirements:

- a. Require a building permit.
- b. Be located in rear or side yards.
- c. Be setback at least 10 feet from a property line.
- d. Not exceed 20 feet in height.
- e. Be operated in full compliance with applicable State statutes and requirements.

Motion passed.

4. Unfinished Business, Review & Action Thereon:

A. Consider development agreement and site and architectural plans for Phase 3 of the Hillside Terrace Apartments. (Dittmar Realty, Inc. agent for Hillside Terrace South, LLC)

Planner Marchek stated that the enclosed draft of the proposed Development Agreement for Phase 3 of Hillside Terrace Apartments has been reviewed by Village staff and the Village Attorney. He stated that the revised site plan for the Phase 3 area now shows 4 additional off-street parking spaces along the westerly edge of the entrance driveway from Cedar Bluffs Way which is what the Commission asked Mr. Dittmar to add to the plan.

Administrator Balcom noted that there were a few minor corrections to the Draft No. 2 Development Agreement that was provided to the Commission members.

Discussion was held on the stormwater agreement, in which Engineer Haggerty noted he found the stormwater agreement satisfactory.

Planner Marchek noted that no architectural plans had been submitted for action and that Mr. Dittmar's proposal is that the architectural design of the two buildings in Phase 3 be as follows:

1. The exterior architectural design and exterior colors of the buildings will be identical to the buildings currently under construction along the north side of Cedar Bluffs Way.
2. Elevations A & F will be 100% vinyl-sided.

3. Elevations C & D will be a minimum of 30% hardi-plank.
4. Elevations B & E will be a minimum of 30% brick trimmed.

Planner Marchek stated that the facing for elevations B, C, D, & E are intended to comply with the requirement for 30% of brick or other masonry material on all building facades facing a public street.

Motion Stuetgen/Erovick to refer to the Village Board for approval the Development Agreement for Phase 3 of Hillside Terrace Apartments and approve the site and architectural plans for Phase 3 of the Hillside Terrace Apartments with a change to the architectural plans to allow the developer to have the choice of material, either brick or hardi-plank for #3 (Elevation C & D will be a minimum of 30% hardi-plank) as presented. Motion passed.

B. Landscaping plan for Phase 2 of Hillside Terrace Apartments including a portion of Cedar Bluffs Way extension.

Planner Marchek stated that the landscaping plan for Phase 2 of Hillside Terrace Apartments would include installing street trees along the northerly edge of the extension of Cedar Bluff Way and the species type of the street trees will be determined by Village forestry staff.

Discussion was held on the date that the landscaping plan should be completed.

Mr. Dittmar requested that he have until at least October 2016 to complete the landscaping plan.

Commission members stated their concerns that the landscaping should not be delayed until the Fall of 2016.

Mr. Dittmar stated that although he planned on completing the landscaping plan before the Fall of 2016, completion was dependent on the weather.

Commissioners decided that by September 30, 2016 the landscaping plan for Phase 2 of Hillside Terrace Apartments including a portion of Cedar Bluffs Way extension needs to be completed.

Motion Fredericks/Moritz to approve the landscaping plan for Phase 2 of Hillside Terrace Apartments including a portion of Cedar Bluffs Way extension with the requirement that the plan be completed by September 30, 2016 as presented. Motion passed.

C. Consider deed restriction and stormwater management maintenance agreement for 4 Lots in 2 CSM's constituting the Hillside Terrace Apartments sites. (Dittmar Realty, Inc. manager for property, Owners Hillside Terrace, LLC and Hillside Terrace II, LLC)

Engineer Haggerty stated that staff had reviewed the deed restriction and Hillside Terrace stormwater management practice maintenance agreement and found it sufficient.

Motion Fredericks/Stuetgen to refer to the Village Board for approval the deed restriction and stormwater management maintenance agreement for 4 Lots in 2 CSM's constituting the Hillside Terrace Apartments sites as presented. Motion passed.

5. New Business, Review & Action Thereon:

A. Consider two extraterritorial Certified Survey Map's (CSM) in the SE ¼ of section 10 in the Town of Polk to divide a 25.303 acre area into 5 residential lots, 2 lots along Cedar Creek Road and 3 lots along Lily Road. (Property owner Steve Kearns Properties, LLC)

Planner Marchek stated that the proposed CSM's would divide a vacant 25.303 acre parcel into 5 residential lots, with two lots having the front along Cedar Creek Road and three lots having the front along Lily Road. He stated that a letter from the Town of Polk, received by staff this week noted that the Town of Polk Planning Commission had approved the 2 CSM's. Planner Marchek stated that the Village's extraterritorial jurisdictional area plat extends 1.5 miles from the Village corporate limits and the subject parcel is located approximately .70 mile from the nearest Village limits. He stated that the subject parcel is outside the Village's Year 2025 plan limits and is also outside of the Village's long-range sanitary sewer service area.

Planner Marchek advised the Commission to review the excerpts from the Village's Land Division Ordinance, which lists the criteria applicable to non-agricultural residential land divisions when making its findings and recommendations. He also stated that should the Commission recommend approval, the following conditions should be included:

1. Any requirement or conditions imposed by the Town of Polk.
2. Any requirements of Washington County.
3. Any requirements of the Commission.

Discussion was held and the Commissioners found that no requirements needed to be included.

Motion Stuetgen/Erovick to refer to the Village Board for approval two extraterritorial Certified Survey Map's in the SE ¼ of section 10 in the Town of Polk to divide a 25.303 acre area into 5 residential lots, 2 lots along Cedar Creek Road and 3 lots along Lily Road as presented. Motion passed.

B. Conceptual review to allow "Retail Display Services Contractor Shop" at 411 Kettle Moraine Drive South. (Property owner Elaine Burg, Display Contractor is Scott E Mahnke d/b/a NIS/Mahnke Enterprises, LLC)

C. Consider request to amend the B-1 Commercial District to add "Construction Services/Contractor Shops" as a Conditional Use and set public hearing related thereto.

Planner Marchek stated that items 5B and 5C would be handled together. He stated that the subject property had previously been operated as a used merchandise business known as "The Shed" since early 2013 and that use was allowed in accordance with a Conditional Use Permit (CUP) which lapsed when the renters vacated the subject premises.

Planner Marchek stated that a potential tenant, Mr. Scott Mahnke, owner of Retail Display Services Contractor Shop, had approached the building owner to rent the entire building for his contracting use and that his business had previously operated in the Village of Slinger at 120 W. Commerce Blvd. in accord with a CUP.

Mr. Mahnke stated that his business is growing and he would like to relocate to 411 Kettle Moraine Drive South.

Planner Marchek stated that the subject property is zoned B-1 Commercial District which does not allow construction services or shops as a permitted or conditional use and that the Commission needs to review the concept of allowing such use before making a formal amendment to the B-1 District to allow the use and before the perspective tenant and owner would request a CUP, since the subject property is zoned B-1 Commercial District which does not allow construction services or shops as a permitted or conditional use.

Mr. Mahnke explained to the Commission members how his business operates and the need for a larger location as his business is growing.

Discussion was held concerning the traffic that may occur from operating this business, along with the vehicles and material being stored outside.

Planner Marchek stated that if the Commission decides to amend the code, the perspective tenant and owner would then need to request a Conditional Use Permit.

Motion Fredericks/Moritz to direct staff to prepare the necessary ordinance to amend the B-1 Commercial District to add "Construction Services/Contractor Shops" as a Conditional Use and hold a public hearing at the next Planning Commission meeting. Motion passed.

D. Consider amending the I-1 Institutional District to add "Auditoriums, Theaters and Similar Places of Public Assembly" as permitted uses to accommodate the Slinger School District's proposed auditorium and set public hearing related thereto.

Planner Marchek stated that in response to the Slinger School District's recently approved referendum to construct a proposed auditorium addition to the high school, staff found that auditoriums are not listed in the I-1 Institutional District and an amendment would be necessary to allow it as a permitted use.

Motion Stuetgen/Moritz to direct staff to hold a public hearing at the next Planning Commission meeting to consider amending the I-1 Institutional District to add "Auditoriums, Theaters and Similar Places of Public Assembly" as permitted uses. Motion passed.

6. Status Reports: None

7. Adjourn Meeting:

Motion Fredericks/Erovick to adjourn at 7:47pm. Motion passed.

Approved By:

Russell E. Brandt, Chairperson

Drafted by: Tammy Tennes, Village Clerk